

Remarks

Claims 1-90 were previously pending in the application. Claims 1, 3, 74, and 75 have been amended and claims 5, 12, 17-46, 55-63, and 77 have been canceled. Claims 64-76 and 78-90 have been withdrawn as being directed to non-elected subject matter. Accordingly, after the amendments presented herein are entered, claims 1-4, 6-11, 13-16, and 47-54 will remain pending and claims 64-76 and 78-90 will be withdrawn. Support for the amendments can be found throughout the specification and claims as originally filed. Specifically, the claim have been amended to be directed to elected subject matter.

No new matter has been added. Applicants reserve the right to pursue the amended or canceled subject matter in this or a continuing application.

Response to Restriction Requirement

The Examiner has required restriction between the following inventions:

Group I (claims 1-54) directed to a compound consisting of 8-50 nucleotides or analogues that comprises a subsequence of at least 8 nucleotides wherein the subsequence is located within a sequence selected from the group consisting of SEQ ID NO: listed in claims 1, 3, or 12;

Group II (claims 55-63) directed to a method of making a medicament using a compound of claim 1 or a conjugate of claim 47; and

Group III (claims 64-90) directed to a method of treatment or of modulating gene expressing using the compound of claim 1, the conjugate of claim 47 or the pharmaceutical composition of claim 48.

Applicants hereby elect Group I for prosecution on the merits and withdraw the claims of Group III (claims 64-90). Applicants have amended the method claims of Group III to be dependent on the compositions of claim 1. Accordingly, it is Applicants understanding that upon the allowance of a composition claim, the method claims that depend therefrom and contain all the limitation of the allowable composition claim will be entered as a matter of right.

The Examiner has further required the election of a single species for prosecution on the merits. Applicants hereby elect SEQ ID NO:30 for prosecution on the merits, and have amended the claims to include only SEQ ID NO:30.

CONCLUSION

Applicant believes that no fee is due in connection with this amendment. However, if a fee is due, please charge any fees required in connection with the papers transmitted herewith to Deposit Account No. 04-1105.

In view of the above amendment, Applicants believe that the pending application is in condition for allowance. If a telephonic conversation would be helpful, the Examiner is urged to contact the undersigned.

Dated: March 21, 2006

Respectfully submitted,

By 

Jonathan M. Sparks, Ph.D.

Registration No.: 53,624

EDWARDS & ANGELL, LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant